

REMARKS

The application has been amended and is believed to be in condition for allowance.

Previously, responsive to the requirement for election of species, applicants elected that of Figures 1-5. Claims 1-5 and 9-12 were noted to be readable on the elected embodiment.

Claim 12 is now dependent from claim 1. Withdrawal of the 35 USC 112, second paragraph rejection is solicited. Withdrawn claim 14 now also depends from claim 1. Claim 10 is amended to remove a duplicative recitation.

New claim 15 is based on claim 1. New claim 16 is based on claims 14-15. These claims find support in the specification as filed and are illustrated by Figures 1-5. No new matter is entered by way of these claims. The claims read on the elected embodiment of Figures 1-5.

Claims 1, 2, 4, 5, and 9-11 were rejected as obvious over COBURN 3,794,314.

Claim 1 recites, and the Official Action acknowledges, that COBURN does not teach that the abutment means and the gasket are arranged in such a way that, in order to bring the lens into abutment against the abutment means, the annular portion of the gasket comes into contact with the lens so that the gasket deforms in compression over a width of the gasket that is at least three times greater than the thickness of said annular portion of the gasket.

The Official Action states that the recited gasket deformation in compression over "a width of the gasket that is at least three times greater than the thickness of said annular portion of the gasket" is an obvious matter of design choice, i.e., discovering optimum or workable ranges being within routine skill in the art where the general conditions of a claim are disclosed.

But in this situation, the general conditions of the claim are not disclosed in the prior art. The general conditions of the present invention are the improvement of the torque transmission between the gasket and the lens to be blocked.

See the paragraph spanning specification pages 5-6 (emphasis added): "That solution of pneumatic blocking, ... is little used in practice. .... It would indeed be possible to increase the stiffness of the compressibility of the gasket, but that would be to the detriment of its coefficient of friction and would lead to a reduction in the torque that can be transmitted when rotating the lens, unless the pressure in the suction chamber is reduced so as to increase the magnitude of the suction effect exerted by the support on the lens, but that would run the risk of deforming the lens. ...." Other torque issues are also discussed.

In the Object of The Invention section, it is clearly disclosed that an object of the present invention is to provide an improvement to the pneumatic blocking solution, which

improvement satisfies the requirements of precision, stability, and torque transmission. For this purpose, the invention provides that in order to bring the lens into abutment, the gasket deforms in compression. From the paragraph spanning pages 7-8, This arrangement makes it possible to select the stiffness of the gasket appropriately and also to obtain a relatively large contact area between the gasket and the lens. These two parameters encourage obtaining high torque transmission without that requiring the lens to be pressed too hard against the rigid abutment means of the support. This avoids any untimely marking of blocked lenses (which are known to be particularly fragile on the surface, particularly for lenses made of synthetic material), but without requiring mechanical indexing means to be implemented.

This is not in the prior art, nor would one of skill find the recited width and thickness relationship obvious to optimize.

Indeed, there are at least two reasons why increasing the width of the gasket compared to its thickness could not have been considered by one skilled in the art in order to solve the technical problem addressed in the present patent application, namely the improvement of the torque transmission between the gasket and the lens to be blocked.

Firstly, according to COBURN, torque transmission between gasket 44 and lens L relies on the contact between the

lens and the annular shoulder 40, not on the friction between lens and gasket. The proposed modification of the prior art would therefore change the principle of operation of the prior art invention. The teachings of the references are thus not sufficient to render the claims prima facie obvious (*In re Ratti*, 123 USPQ 349 (CCPA 1959) - MPEP 2143.01).

Secondly, according to COBURN, the flexibility of the gasket is used to exert an elastic force on the lens: an increase of the width of the gasket compared to its thickness would decrease its elasticity coefficient, and accordingly its rigidity, and therefore it would decrease the elastic force exerted by the gasket on the lens. Meanwhile, the contact surface between the gasket and the lens would not be significantly increased, as the bend of the gasket would not be controlled. As a consequence, the torque transmitted between gasket and lens would be decreased, which does not solve the technical problem recited, but rather goes against its resolving. A particular parameter must first be recognized as a result-effective variable, i.e., a variable which achieves a recognized result, before the determination of the optimum or workable ranges of said variable might be characterized as routine experimentation (*In re Antonie*, 195 USPQ 6 (CCPA 1977) - MPEP 2144.05). Hence the ratio between width and thickness of the gasket could not have been recognized as a suitable variable for solving the recited

technical problem, and therefore its optimization cannot be considered as routine experimentation for one skilled in the art.

In order to achieve the present invention, one skilled in the art would therefore have to modify the gasket and the blocking support as a whole known from COBURN. In the claimed arrangement, the gasket does not perform the same function it had been known to perform (or at least does not perform its function in the same way it had been known to act), and this precisely yields the enhancement sought. This arrangement enhances the torque transmission between the gasket and the lens to be blocked and thus makes it possible to select the stiffness of the gasket appropriately and also to obtain a relatively large contact area between the gasket and the lens. These two parameters encourage obtaining high torque transmission without requiring the lens to be pressed too hard against the rigid abutment means of the support. This avoids any untimely marking of blocked lenses (which are known to be particularly fragile on the surface, particularly for lenses made of synthetic material, cf. the introduction to the description of the present patent application).

Therefore, based on the above, it is clear that one of skill would not find the recited gasket deformation in compression over "a width of the gasket that is at least three times greater than the thickness of said annular portion of the gasket" an obvious matter of design choice that is a mere optimum

or workable ranges being within routine skill in the art where the general conditions of a claim are disclosed.

As to claim 5, applicant does not see that COBURN discloses 5. "a setback (12) being formed outside the ridge with the inside edge of the gasket (9) being engaged around the setback, said setback presenting a depth ( $e_{12}$ ) that is perceptibly smaller than the thickness ( $e_9$ ) of said gasket".

Rather, the setup in COBURN appears equal to the thickness of the gasket 44.

As to claim 15, COBURN does not render the recited features obvious.

COBURN does not disclose a setback (12) located on a top of the face (7) of the plate (2) and extending outwardly to an outermost periphery of the plate (9). The setback of COBURN is located in the interior of the upper face and extends inwardly away from the outermost periphery.

COBURN also does not disclose the annular portion (9) of the gasket being a flat ring having a radial width (19) at least three times greater than a thickness ( $e_9$ ) of the annular portion (9) with an entire lower surface of the annular portion in contact with the setback and an entire upper surface of the annular portion in contact with the lens. Apart from the width-thickness relationship which is discussed above with respect to claim 1, COBURN does not disclose the annular portion (9) with an entire lower surface of the annular portion in contact with the

setback and an entire upper surface of the annular portion in contact with the lens. Nor would there be any reason to modify COBURN to have these features.

As to claim 16, COBURN teaches a height of the setback being equal to the thickness of the annular portion of the gasket. Due to the design of COBURN, there is no reason to make the setback have a height different from the annular portion of the gasket.

Thus, these claims are also patentable. Reconsideration and allowance of the claims are solicited. Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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